THE VIEW FROM LANGLEY

Address to the
Fund for Peace Conference
on
CIA and Covert Actions
by
William E. Colby
on
Friday, 13 September 1974

Mr. Borosage, Ladies and Gentlemen:

If I said I am happy to be here, my statement might be used to challenge the credibility of the Intelligence Community. But I am happy to serve under a Constitution which, in my view, brings me here. While I might have constructed the program of this conference somewhat differently, it reflects the workings of our free society. It is thus incumbent upon our Government officials to explain to the public the functions and activities of their particular organizations, and I include in this, as you can see by my presence here, the Central Intelligence Agency and the Intelligence Community.

Our military forces must be responsive to our public, but our public does not demand that our war plans be published. Our judicial system must meet the public's standards of justice, but our judicial conferences and grand jury proceedings are not conducted in public. It is even necessary for the Congress to conduct some of its business in executive session, while remaining accountable to the voters for the legislation it passes. Similarly,

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I believe it is feasible to explain to the American people the functions and activities of CIA and the Intelligence Community while at the same time maintaining the necessary secrecy of the sources and methods of our intelligence, which would dry up if publicized.

In part, I can respond to legitimate public inquiry through general discussions of our activities, omitting the critical names and details. In other respects, I believe I can respond to the public's need for assurance by reporting fully to Congressional committees or other bodies appointed by the public's representatives to receive and retain this sensitive information and to make value judgments about our functions and activities. Another test of our effectiveness lies in the opinions of those in the Executive and Legislature who are provided the intelligence results of our operational and analytical efforts, but not how these were obtained and produced. There is a final control, of course, in the fact that some of our activities, if badly handled, come to public attention in a somewhat clamorous way.

There have been some "bad secrets" concerning intelligence; their exposure by our academic, journalist and political critics certainly is an essential part of the workings of our Constitution. There have been some "non-secrets" which did not need to be secret; I have undertaken a program of bringing these into the open. But I think that responsible Americans realize that our country must protect some "good secrets." It is for this

reason that I am proposing legislation which will impose penalties on those who take upon themselves the choice of which secrets to reveal, rather than relying on the established declassification procedures of our Government. I might clarify that my proposal would not apply to the news media or any other persons than those who consciously assume the obligation to respect the secrecy to which they are admitted as Government employees or similar, and that the reasonableness of the classification would be subject to judicial review.

If our laws provide for criminal penalties for the unauthorized disclosure of certain census information, income tax information, Selective Service information, and cotton and other agricultural statistics, I think it reasonable that there should also be penalties for the unauthorized disclosure of foreign intelligence sources and methods upon which the safety of the nation could well depend.

The title of this conference is "The CIA and Covert Actions." In my letter accepting Mr. Borosage's invitation to appear here, I commented that I was somewhat surprised that there was no attempt in the agenda to examine the need for the contribution that objective and independent intelligence can make to policy decisions. In fact, however, I note that there has been considerable discussion of our intelligence activities, such as the U-2, in addition to our covert action role.

In this regard, I would like to clarify that the predominant focus of CIA and the Intelligence Community today is clearly on our information and analytical responsibilities. In this field, we endeavor to serve the Executive Branch by providing intelligence on the facts of the world about us and our assessments of likely future developments. We also try to serve the Congress and the public by providing the output of the intelligence investment made by the United States, to support them in their role in American decision-making. Thus, CIA has appeared before 18 committees on 28 occasions this year (Armed Services, Appropriations, Foreign Affairs, Atomic Energy, and Economics), testifying on a variety of subjects. We have cleared for publication some of this testimony on the economies of the Soviet Union and China and on the Soviet presence in the Indian Ocean. We also produce a number of unclassified publications and distribute them through the Library of Congress to over 200 libraries and institutes around the country, as well as making publicly available our reports of foreign broadcasts and translated documents. In addition, I have talked with 132 newsmen in the past year, and about 100 have come to CIA for briefings by our analysts on substantive questions involving foreign countries, thus benefiting from our accumulated information from our most sensitive sources.

It is a strange anomaly that our country makes publicly available vast amounts of material on the U. S., whereas the corresponding material about

our potential adversaries must be collected by intelligence techniques at a cost of hundreds of millions of dollars. In this situation, if we cannot protect our intelligence sources and methods, I fear we may reach a situation in which our adversaries profit from our openness while we are blinded by their secrecy.

Dr. Scoville has quite properly indicated the revolution in intelligence which has been achieved through the growth of technology over the past two decades. This intelligence, however, is still limited to what physically exists. It does not give us the intentions, the research ideas, and the decision-making dynamics of the countries which might pose a threat to the United States. In today's accelerating technology, we are condemned always to be well behind if we rely only on what has appeared in the marketplace instead of what is planned for the future. In addition, in a world which can destroy itself through misunderstanding or miscalculation, it is important that our leaders have a clear perception of the motives, intentions and strategies of other powers so that they can be deterred, negotiated about, or countered in the interests of peace or, if necessary, the ultimate security of our country. These kinds of insights cannot be obtained only through technical means or analysis. From closed societies they can only be obtained by secret intelligence operations, without which our country must risk subordination to possible adversaries.

To turn to covert action, which is included in those "other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct" as stated in the National Security Act, there is debate as to the degree Congress intended CIA to engage in these actions when passing the legislation in 1947. The OSS precedent, the National Security Act's clear authorization of functions "related to intelligence" by reason of secret techniques and frequent use of the same assets, and the periodic briefings given to the Congress over the years through its authorized committees, clearly establish the Agency's authority to perform these functions.

The Agency conducts such activities only when specifically authorized by the National Security Council. Thus, CIA covert actions reflect national policy. National policy has been in a state of change, and CIA's involvement in covert action has correspondingly changed. In the early days of the "cold war," when national policy-makers believed it essential to confront an aggressive Communist subversive effort in many areas of the world and in the international organizational sphere, there was a great deal of this sort of effort. Some was revealed in the 1967 disclosures of our relationships with various American groups which helped their country to present the American position and support America's friends in this arena during the 1950's and 1960's. The record is clear that the assistance given to these

institutions by the CIA was to enable them to participate in foreign activities; there was no attempt to interfere in internal American domestic activities. CIA aid helped such groups as the National Student Association to articulate the views of American students abroad and meet the Communist-subsidized effort to develop a panoply of international front organizations. I might quote Ms. Gloria Steinem, one of those so assisted, who commented that the CIA "wanted to do what we wanted to do -- present a healthy, diverse view of the United States" -- "I never felt I was being dictated to at all."

There have also been, and are still, certain situations in the world in which some discreet support can assist America's friends against her adversaries in their contest for control of a foreign nation's political direction. While these instances are few today compared to the 1950's, I believe it only prudent for our nation to be able to act in such situations, and thereby forestall greater difficulties for us in the future.

In other situations, especially after Nikita Khrushchev's enthusiastic espousal of the thesis of "wars of national liberation," the United States believed it essential to provide paramilitary support to certain groups and nations. In 1962, President Kennedy, for national policy reasons, did not want to use the uniformed forces of the United States in Laos, but also did not want to be limited to a mere diplomatic protest against the continued

presence of 5,000 North Vietnamese troops in Laos in violation of the Geneva Accords, and their expansion of control over communities who wished to resist them.

Thus, CIA was directed to provide support to those communities, a duty which grew to a major effort, known and approved by the Lao government, but not confronting North Vietnam and its allies with a direct and overt U. S. challenge. Mr. Banfmann has told you of some of the terrible human problems involved in any war when it grows to a conventional scale involving artillery, air bombardment, and so forth. What has perhaps not been fully perceived is that the American assistance to this effort involved a small commitment of CIA Americans and a small expenditure over the many years in which this action was undertaken; and that, as a result of the defensive efforts of the forces supported by CIA, the battle lines at the end of the period were essentially unchanged from those at the opening.

As with the Bay of Pigs, when the activity became too large, it no longer remained secret. But I think the CIA people who conducted this effort deserve the praise of our citizens for the effective but modest manner in which President Kennedy's mission was carried out -- a mission, by the way, that cost the lives of eight CIA officers there. This activity was reported to and appropriated for on a regular basis by the authorized elements of the Congress -- the war was no secret from them.

But it is clear that American policy today is different from when it was confronting worldwide Communist subversion in the 1950's or Communist insurgency in the 1960's. Our involvement has been reduced in many areas, in part, I might add, by the fact that many of the Communist efforts during those years were unsuccessful. CIA's covert actions in many of these instances thus assisted in laying the groundwork for the new period of detente which we pursue in our relationships with the Communist world today. As a result, CIA's involvement in covert action is very small indeed compared to those earlier periods. I do not say that we do not now conduct such activities; I merely state that they are undertaken only as directed by the National Security Council, they are frankly and regularly reported to the appropriate committees of the Congress, and they require only a small proportion of our effort at this time.

I am not being more precise on these various covert actions. Some you are aware of because of exposure, leak or failure -- such as the Bay of Pigs. Some you are not aware of because they have been effectively handled and have achieved their objectives. I abide by what one President said about CIA, that our successes are unheralded and our failures trumpeted.

It is advocated by some that the United States abandon covert action. This is a legitimate question, and in light of current American policy, as I have indicated, it would not have a major impact on our current activities or

the current security of the United States. I believe, however, that a sovereign nation must look ahead to changing circumstances. I can envisage situations in which the United States might well need to conduct covert action in the face of some new threat that developed in the world.

In 1924 we sank the brand new battleship "Washington" as a demonstration of our belief in disarmament. At about the same time, we disbanded an intelligence element in the Department of State on the thesis that "gentlemen do not read each other's mail." During the same period, we declined the international burdens of membership in the League of Nations. I believe our post-World War II history, with all its costs, constituted an improvement on our post-World War I policies and did avoid a World War III during these thirty years. I thus would think it mistaken to deprive our nation of the possibility of some moderate covert action response to a foreign problem and leave us with nothing between a diplomatic protest and sending the Marines.

Bills in Congress today would amend the National Security Act of 1947 to clarify a requirement that the Congress be kept informed "in such manner as the Congress may prescribe" of any "functions and duties related to intelligence affecting the national security" carried out by CIA. I fully support this change in the CIA's basic legislative charter, which would establish in law the practice we follow today.

In Mr. Borosage's announcement with respect to this conference, he expressed the concern that untrammeled secret power poses a threat to our liberties and that our program of covert activities abroad must be re-examined before similar techniques are employed to subvert our democracy at home. I have indicated that I do not believe that CIA's covert actions abroad constitute "untrammeled secret power" in view of our responsibilities to the Executive and to the Legislature.

With respect to the second part of Mr. Borosage's concern about these techniques being employed in the United States, I again point to a bill being considered in the Congress, which would make it crystal clear that CIA's activities lie only in the field of foreign intelligence, by adding the word "foreign" wherever the word "intelligence" appears in the National Security Act. I fully support this wording, and in fact originally suggested it in my confirmation hearings. My predecessors and I have admitted that CIA did exceed its authority in several instances with respect to Watergate. We have taken steps within the Agency to ensure that such actions do not occur again. The proposed change in our legislative charter would make this a matter of statutory direction. But the fact that a retired CIA employee becomes involved in some illegal activity in the United States should no more eliminate a function essential to our nation than should the fact that a Vietnam veteran commits a

crime be used as the basis to deprive the United States Army of its pistols. And the concern of all of us that CIA not be used against U. S. citizens should not bar it from lawfully collecting that foreign intelligence available within the United States.

With that, Mr. Chairman, I believe I have covered some of the major considerations affecting CIA and covert actions. I would only beg your indulgence for a few remarks on a few of the more salient matters which I understand arose in the past two days. I would then certainly be prepared to answer any further questions which might be posed by the audience here.

Thank you very much.

Supplementary Remarks by Mr. William E. Colby at the Fund for Peace Conference on CIA and Covert Actions on Friday, 13 September 1974

Chile

Since my testimony on Chile was given in Executive Session, from which it has unfortunately leaked, I do not propose to discuss the details of our activities there other than to point out that they fall within the general principles I have outlined above. I repeat what I have previously said, that CIA had no connection with the military coup there in 1973. We did look forward to a change in government, but in the elections of 1976 by the democratic political forces. I would add that, in my review of the transcript of that testimony, there is no reference to "prototype" nor to the term "destabilize." The latter especially is not a fair description of our national policy from 1971 on of encouraging the continued existence of democratic forces looking toward future elections.

I would also comment that this unfortunate leak once again raises the dilemma of how we are to provide the Congress such delicate information without its exposure and consequent adverse impact on those who put their faith in our secrecy and those who might be contemplating such a relationship elsewhere in the future. This is a matter, of course, for Congress to decide, and I have every confidence that a fully satisfactory solution will eventuate.

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Phoenix

This subject has been badly misunderstood in public discussions. I testified fully on this subject in 1971, but selective quotes from that testimony have been used to indicate that I directed a program of assassination, murder, etc., resulting in the deaths of over 20,000 Vietnamese. I then denied and I still flatly deny such a charge or such an interpretation of this program.

Phoenix was one of a number of programs under the general pacification effort of the government of Vietnam. On detail from CIA to the Department of State, I was the principal adviser and supervised American support of the pacification program. The pacification program was focused on securing the willing participation of the population of South Vietnam against terror and invasion by the North Vietnamese and the Viet Cong. The GVN's pacification program consisted of:

-- Assistance to the local territorial forces to increase the security of the villages;

-- The distribution of a half million weapons to the population to use in unpaid self-defense groups (I know of few governments in the world which would undertake such a venture and have it meet with such success);

-- The inducement, reception and resettlement of over 200,000 defecting members of the Viet Cong;

-- The temporary support and return to village of hundreds of thousands of refugees;

-- The election of local village chiefs and provincial councils;

-- The decentralization of economic development funds and programs to locally elected officials and councils instead of Saigon bureaucrats.

One of these pacification activities was the Phoenix program, aimed at identifying, capturing, rallying and, if necessary, attacking the leadership elements of the Viet Cong enemy apparatus. A number of abuses took place in Vietnam over the years of war, as they have in other such situations, but the Phoenix program, starting in 1968, was designed and carried out to reduce and hopefully eliminate such abuses. Thus, under Vietnamese Government direction:

-- It distinguished enemy leaders from simple followers in order to reduce pressure on the latter;

-- It developed procedures for the proper and timely handling of captives and interrogees;

-- It revised procedures to ensure the participation of elected village chiefs and elected provincial council chairmen in decisions about detentions;

-- It published the entire program in order to secure public support and public control, rather than letting it become a secret police operation.

The figures I testified to included members of the enemy apparatus who had been captured (28, 978), who had defected (17, 717), and who had been killed (20, 587). Of those killed, 87% were killed by regular and paramilitary forces and 12% by police and similar elements. Thus it is clear that the vast preponderance of those who were killed were killed in firefights, protective ambushes or similar military combat, and most of the remainder were killed in police actions attempting to capture them.

I have admitted that unjustified abuses took place, but I insist that these were few, exceptional, and against policy. I also recognize that procedural improvements were not instantly or wholly effective. However, the real purpose and effect of the Phoenix program was to bring as much regularity and propriety as possible to a war whose chaos and brutality on both sides must be charged more to its Communist protagonists than to its South Vietnamese defenders.